

111TH CONGRESS
2D SESSION

H. R. 4658

To authorize the conveyance of a small parcel of National Forest System land in the Cherokee National Forest and to authorize the Secretary of Agriculture to use the proceeds from that conveyance to acquire a parcel of land for inclusion in that national forest, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 23, 2010

Mr. DUNCAN introduced the following bill; which was referred to the
Committee on Agriculture

A BILL

To authorize the conveyance of a small parcel of National Forest System land in the Cherokee National Forest and to authorize the Secretary of Agriculture to use the proceeds from that conveyance to acquire a parcel of land for inclusion in that national forest, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Benton MacKaye
5 Cherokee National Forest Land Consolidation Act”.

1 **SEC. 2. LAND CONVEYANCES, CHEROKEE NATIONAL FOR-**
2 **EST, TENNESSEE.**

3 (a) CONVEYANCE OF TOWEE FALLS BAPTIST
4 CHURCH PARCEL.—

5 (1) CONVEYANCE AUTHORIZED.—The Secretary
6 of Agriculture may convey to the Towee Falls Bap-
7 tist Church all right, title, and interest of the United
8 States in and to a parcel of National Forest System
9 land in Cherokee National Forest consisting of ap-
10 proximately 66.5 acres surrounding the Towee Falls
11 Baptist Church, as generally depicted on the map ti-
12 tled “_____” and dated _____, 2010.

13 (2) CONSIDERATION.—As consideration for the
14 conveyance of the parcel under paragraph (1), the
15 Towee Falls Baptist Church shall pay to the Sec-
16 retary an amount equal to the fair market value of
17 the parcel, as determined by an appraisal satisfac-
18 tory to the parties.

19 (3) CONDITION OF CONVEYANCE.—The convey-
20 ance authorized under paragraph (1) shall be subject
21 to the condition that the Towee Falls Baptist
22 Church accept the land in its condition at the time
23 of conveyance (commonly known as conveyance “as
24 is”).

25 (b) ACQUISITION OF DOC ROGERS TRACT.—

1 (1) ACQUISITION AUTHORIZED.—The Secretary
2 of Agriculture may acquire from the Monroe County
3 Tennessee Board of Education all right, title, and
4 interest of the Board of Education in and to a par-
5 cel of land in Monroe County, Tennessee, consisting
6 of approximately 102 acres and known as the “Doc
7 Rogers tract”, as generally depicted on the map ti-
8 tled “_____” and dated _____, 2010.

9 (2) CONSIDERATION.—To cover the purchase
10 price of the parcel acquired under paragraph (1),
11 the Secretary may use the consideration received
12 under subsection (a)(2).

13 (3) MANAGEMENT OF ACQUIRED LAND.—The
14 land acquired under paragraph (1) shall be managed
15 as lands acquired under the Act of March 1, 1911
16 (commonly known as the Weeks Act), and in accord-
17 ance with the other laws and regulations pertaining
18 to the National Forest System.

19 (c) DESCRIPTION OF PROPERTY.—The exact acreage
20 and legal description of the land to be conveyed under sub-
21 section (a) and acquired under subsection (b) shall be de-
22 termined by a survey satisfactory to the Secretary of Agri-
23 culture. The cost of the survey and all other costs incurred
24 by the Secretary to convey the land shall be borne by the
25 parties to the conveyance.

1 (d) ENVIRONMENTAL REVIEWS.—The conveyances
2 authorized by this section shall not be considered a major
3 Federal action for the purposes of section 102(2) of the
4 National Environmental Policy Act of 1969 (42 U.S.C.
5 4332(2)).

6 (e) BOUNDARY ADJUSTMENTS.—The Secretary of
7 Agriculture shall modify the boundaries of Cherokee Na-
8 tional Forest to reflect the conveyances carried out under
9 this section. For purposes of section 7 of the Land and
10 Water Conservation Fund Act of 1965 (16 U.S.C. 460l-
11 9), the boundaries of Cherokee National Forest, as modi-
12 fied by this subsection, shall be considered to be bound-
13 aries of the National Forest as of January 1, 1965.

14 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
15 retary of Agriculture may require such additional terms
16 and conditions in connection with the conveyances under
17 this section as the Secretary considers appropriate to pro-
18 tect the interests of the United States.

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